

**Law Offices of Robert L. Geltzer**  
1556 Third Avenue, Suite 505  
New York, New York 10128  
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Robert L. Geltzer  
Mark E. Bruh

**Hearing Date: October 19, 2016**  
**Time: 10:00 a.m.**  
**Response Due Date: September 9, 2016**  
**Reply Due Date: September 23, 2016**

*Counsel to Robert L. Geltzer,  
as Chapter 7 Trustee*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

**CONTINUITYX, INC., et al.,**

Debtors.

-----X  
**ROBERT L. GELTZER**, as Trustee for the  
Estate of **CONTINUITYX, INC., et al.,**

Plaintiff,

-against-

**ROBERT FLECK,**

Defendant.

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**Chapter 7**

**Case No. 13-10458 (MKV)**

**Jointly Administered**

**Adv. Pro. No. 15-01015 (MKV)**

**NOTICE OF PLAINTIFF'S MOTION FOR AN ORDER PURSUANT  
TO RULE 56 OF THE FEDERAL RULES OF CIVIL PROCEDURE AND RULE 7056  
OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE GRANTING SUMMARY  
JUDGMENT TO THE PLAINTIFF**

**PLEASE TAKE NOTICE** that upon the annexed Memorandum of Law, Statement of Undisputed Material Facts, Affidavit of Robert L. Geltzer, Chapter 7 trustee (the "Trustee") for ContinuityX, Inc. et al., the debtors, and the exhibits annexed thereto, the Trustee, by his counsel, the Law Offices of Robert L. Geltzer, will move this Court before the Honorable Mary Kay Vyskocil, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004 (the "Court"), on October 19, 2016 at 10:00 a.m. (the "Hearing"), or as soon thereafter as counsel can be heard for an order granting summary judgment to the Trustee.

**PLEASE TAKE FURTHER NOTICE**, that responding papers, if any, by parties with legal representation shall be filed (a) through the Court's electronic filing system in accordance with General Order M-399 (which can be found in the Court's website: [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)), and (b) by all other parties-in-interest, on a CD-ROM or other electronic media in portable document format (PDF), Microsoft Word, WordPerfect, or any other

Windows-based word processing format, and served upon (i) the Chambers of the Honorable Mary Kay Vyskocil at the above address, and (ii) counsel to the Trustee, Law Offices of Robert L. Geltzer, 1556 Third Avenue, Suite 505, New York, New York (Attention: Mark E. Bruh, Esq.), and (iii) the Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, New York 10014 (Attention: Brian Masumoto, Esq.), so as to be received on or before September 9, 2016.

Dated: New York, New York  
August 3, 2016

The Law Offices of  
ROBERT L. GELTZER  
Counsel to the Trustee

By: /s/ Robert L. Geltzer  
Robert L. Geltzer  
A Member of the Firm  
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